

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

DAVID ROBERT THOMPSON,  
Petitioner,  
v.  
BRIAN WILLIAMS,  
Respondents.

Case No. 2:17-cv-02932-RFB-GWF

## ORDER

Petitioner has submitted an application to proceed in forma pauperis (ECF No. 2), a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 (ECF No. 1), and a motion for appointment of counsel (ECF No. 3). Although petitioner already has paid the filing fee, the issues presented in the petition warrant the appointment of counsel, and petitioner cannot afford counsel. See 18 U.S.C. § 3006A(a)(2)(B).

IT THEREFORE IS ORDERED that the application to proceed in forma pauperis (ECF No. 2) is **GRANTED**.

IT FURTHER IS ORDERED that petitioner's motion for appointment of counsel (ECF No. 3) is **GRANTED**. The Federal Public Defender is provisionally appointed to represent petitioner.

IT FURTHER IS ORDERED that the Federal Public Defender shall have thirty (30) days from the date that this order is entered to undertake direct representation of petitioner or to

1 indicate to the court his inability to represent petitioner in these proceedings. If the Federal  
2 Public Defender does undertake representation of petitioner, he shall then have sixty (60) days to  
3 file an amended petition for a writ of habeas corpus. If the Federal Public Defender is unable to  
4 represent petitioner, then the court shall appoint alternate counsel.

5 IT FURTHER IS ORDERED that neither the foregoing deadline nor any extension  
6 thereof signifies or will signify any implied finding of a basis for tolling during the time period  
7 established. Petitioner at all times remains responsible for calculating the running of the federal  
8 limitation period under 28 U.S.C. § 2244(d)(1) and timely asserting claims.

9 IT FURTHER IS ORDERED that the clerk shall add Adam Paul Laxalt, Attorney General  
10 for the State of Nevada, as counsel for respondents.

11 IT FURTHER IS ORDERED that the clerk shall electronically serve both the Attorney  
12 General of the State of Nevada and the Federal Public Defender a copy of the petition (ECF No.  
13 1) and a copy of this order.

14 IT FURTHER IS ORDERED that respondents' counsel shall enter a notice of appearance  
15 within twenty (20) days of entry of this order, but no further response shall be required from  
16 respondents until further order of the court.

17 IT FURTHER IS ORDERED that, notwithstanding Local Rule LR IC 2-2(g) paper copies  
18 of any electronically filed exhibits need not be provided to chambers or to the staff attorney,  
19 unless later directed by the Court.

20 DATED: June 1, 2018.

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22 RICHARD F. BOULWARE, II  
23 United States District Judge  
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